

REMARKS

Claims 1, 4 and 6-9 were previously rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., US 4,887,161, in view of Toyoda et al., US 4,420,773 and DiSanto et al., US 5,508,720. Applicants respectfully traverse the rejection.

The Examiner stated that Applicants previous arguments did not reflect what was being claimed. Applicants have therefore amended claim 1 to indicate that neither the display nor the image bearing medium itself contains a power source. Applicants note that each of the cited references of record teaches the use of a power source coupled to the display when the display is not connected to a primary source of power.

The Examiner argues that DiSanto et al. does disclose what is claimed because it states that the image on the display can be maintained when the power is turned off. DiSanto et al., however, is being applied as a reference in support of an argument of obviousness not anticipation. Accordingly, the fact that DiSanto et al. might disclose that such a display is possible is irrelevant, as it clearly teaches away from utilizing the display without a back-up power source. DiSanto et al. clearly states the disadvantages of not using a back-up power supply (See column 6, lines 37-44) and clearly states the remedy for these disadvantages as being the use of a low power battery (See column 6, lines 46-58).

Thus, for the sake of argument, even if it were obvious to modify Watanabe et al. to draw power from a battery supplied in the camera when the memory cartridge was attached to the camera in view of Toyoda et al., and even if it were then obvious to further modify Watanabe et al. to replace the display 24 with the type of display used in DiSanto et al., it would still not be obvious to incorporate a power supply in either the display or the image bearing medium, as DiSanto et al. specifically teaches that a low power battery be employed. The Examiner cannot simply ignore what DiSanto et al. specifically teaches, namely, the use of a low power battery to maintain the information presented on the display.

It is important to note that DiSanto et al. does not disclose one embodiment without the low power battery and another embodiment with the low power battery. Instead, the use of the low power battery 80 is clearly taught as an

integral part of the invention in DiSanto et al. to avoid the disadvantages associated with EPID displays. In other words, DiSanto et al. does not teach that the low power battery 80 is optional, but instead, specifically requires the use of the low power battery 80.

If the Examiner were applying a rejection based on anticipation, then the only question would be “what does the reference disclose”. But when applying a reference in support of a rejection based on obviousness, the question is “what does the reference teach and suggest to one of ordinary skill in the art”. In this case, the only teaching and suggestion provided by DiSanto et al. is the use of a display with a low power battery back-up. To continue to insist otherwise is to ignore the express teachings of the reference.

The Examiner should ask the question “Where is the motivation for removing the low power battery of DiSanto et al. when the reference specifically teaches the desirability of such a battery”. Applicants submit the answer to that question is the Examiner’s desire to meet the claim language based on hindsight knowledge of applicants own disclosure. No other reasonable conclusion can be reached given the express teachings of the references. One skilled in the art, following the suggestions of the references, simply would not be motivated to eliminate the low power battery specifically taught by DiSanto et al.

In view of the above, applicants submit that the examiner has failed to establish a prima facie case of obviousness as required under 35 U.S.C. §103. The rejection is therefore improper and should be withdrawn.

Applicants further note that Watanabe et al.. also clearly fails to disclose or suggest the features of the dependent claims. Claim 7 requires that at least one indication of camera status be displayed. The Examiner refers to a section of Watanabe et al. that describes the use of the display as a viewfinder. A viewfinder is not a camera status indicator under any plausible interpretation of the word. Claim 9 further requires that the camera status indicators be removed from the display prior to removing the display from the camera. As stated on page nine of the application, there is little value in displaying camera status information on the image bearing medium when it is removed from the camera. The Examiner refers to a portion of Watanabe et al. that discusses the use of a switch to display an image when the card is removed from the camera. A displayed image is not a camera status indicator nor is the use of the switch in any

way related to the deletion of camera status indicators from the display prior to removal of a memory card. Accordingly, applicants submit the rejection of claims 7 and 9 is improper, as none of the references of record suggest the features contained therein.

Claim 22 has been canceled in favor of new claim 24. Claim 24 states that the display is removable from the removable image bearing medium. This feature is discussed in detail on page ten of the application. There is absolutely no disclosure, teaching or suggestion in any of the references of record, taken singly or in combination, for making the display removable from the underlying memory cartridge of Watanabe et al., the storing unit 2 of Toyoda et al. or the EPID 20 of DiSanto et al. In the event the Examiner attempts to maintain a rejection of the claim, applicants request that the Examiner specifically and distinctly point out where this feature of the invention is disclosed, taught or suggested by the references of record. Absent such a showing, the rejection is improper and should be withdrawn.

In addition, applicants have added additional new claims to further claim the disclosed invention. Claim 25 states that the display includes a bar indicator that indicates an amount of storage space available in the removable image bearing medium to store the camera captured images. Claim 26 states that the display includes memory material comprising chiral doped nematic liquid crystal. Claim 27 states that the camera status indication includes camera battery status. Claim 28 is directed to the memory device including a bar indicator. Claim 29 is similar to claim 24 in that the display is removable from the memory device. Claim 30 is similar to claim 26 in that the display includes memory material comprising chiral doped nematic liquid crystal. Claim 31 states neither the memory device nor the display includes a separate power source to power the bar indicator when the memory device is uncoupled from the power source. The features of the new claims are not disclosed or suggested by the references of record.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Raymond L. Owens', is written over a horizontal line.

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